

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

**DALE PETRY and
SONYA PETRY,**

Plaintiffs,

v.

CASE NO. 3:22-cv-00337

**MARSHALL UNIVERSITY
BOARD OF GOVERNORS,**

Defendant.

AGREED ORDER OF DISMISSAL, WITH PREJUDICE

This day came the parties, by counsel, and represented to the Court that all matters in controversy between the parties in this matter have been agreed, settled, and compromised and jointly moved the Court to dismiss the Plaintiffs' claims against the Defendant, Marshall University Board of Governors, with prejudice. Having heard the representations of counsel and being otherwise sufficiently advised, the Court grants the joint motion to dismiss the case, with prejudice.

WHEREFORE, it is hereby ORDERED, ADJUDGED, and DECREED that the claims of the Plaintiffs asserted against the Defendant, Marshall University Board of Governors., are hereby DISMISSED, WITH PREJUDICE, with each side to bear their own costs and attorney's fees.

The Clerk is **ORDERED** to provide counsel of record with a certified copy of this Order and to remove this case from the active docket of the Court.

ENTER: March ²⁰____-, 2023.



Robert C Chambers
United States District Judge

Approved for Entry By:

/s/ D.C. Offutt, Jr.
D.C. Offutt, Jr., Esquire (WV #2773)
Anne Liles O'Hare, Esquire (WV #9171)
Offutt Simmons Simonton, PLLC
949 Third Avenue, Suite 300
Post Office Box 2868
Huntington, West Virginia 25728
(Counsel for Defendant)

/s/ Ben Salango
Ben Salango, Esquire (WV # 7790)
Salango Law, P.L.L.C.
206 Capitol Street
Charleston, WV 25331
(Counsel for Plaintiffs)